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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
TANG, SON M	

ART UNIT	PAPER NUMBER
2612	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/560,699	RONNAU, PER	
	Examiner	Art Unit	
	SON M. TANG	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *1/30/2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *13/12/05* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Applicant's arguments filed 3/15/08 have been fully considered and a new ground rejection address as below.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The terms "optionally" in lines 3 and 7 are not acceptable in the claim, it is not specifically define the claimed subject matter.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims **1-9 and 11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Gardner, Jr. et al. [US 6,937,156] in view of Cooper et al. [US 6,885,299].

Regarding claim 1: Gardner discloses a pest control system [see Figs. 1 and 3C] comprising:

-one or more detection units (11 or 800) and means (803, 801) for identifying pest type, whereby, a capacitance sensing circuit measures the change in the electrode and determine the size and type of pest [col. 2, lines 30-33],

- means (14) for electronically communicating the collected data to a local server (16), the local communication server (16) comprises means (15) for receiving input (22) from the detection units (11) and transmits the input to a central system server (17), which collects and treat data received from one or more discrete remote local communications servers such that the treated data such as store in database (log registration) and generates a report for each of the traps (as cited in col. 6, lines 60-68 and col. 7, lines 5-16),

-software modules is inhered in the system [as cited in col. 11, lines 13-17], which generated data incoming from the capacitive sensing device and data logging of pest activity on alarm intervals, that constitutes of self-learning in response to predetermined responses in view of incoming collected data.

Gardner does not specifically mention that the collected data is being encrypted before transmitted to the local server. Data encryption is known in communication art, that uses to prevent any but the intended recipient from reading that data, which teaches in a locating and monitoring insect of **Cooper et al.**, [as cited in col. 1, lines 34-35 and col. 5, lines 14-15]. Therefore, it would have been obvious of one having ordinary skill in the art at the time the invention was made to employ a data encryption device as suggested by Cooper et al. into the system of Gardner, so that the data transmission can be secured.

Regarding claim 2: Gardner further discloses the pest is a rodent and sensor 12 is a movement sensor [see col. 5, lines 40-41].

Regarding claim 3: Gardner discloses insect detection sensor is a movement detector (12) [see col. 5, lines 40-41].

Regarding claim 4: Gardner further discloses sensor (12) includes a means for exterminating (kills) pests [col. 5, lines 32-33].

Regarding claim 5: Gardner discloses that the status report on the current status of the detection unit at predetermined time intervals [see col. 6 lines 10-18].

Regarding claim 6: Gardner further discloses that central server comprises a database and that data from the detection units as well as actions in response to such data is stored, and that the data by means of suitable software (inhered in the system) used to predict possible causes of presence of pests, and suggest possible actions (such as visiting the devices) [as cited in col. 7, lines 5-17].

Regarding claims 7-8: Gardner further discloses that communication between the components in traditional wireless means such as radio frequency or Internet [see Fig. 1, col. 5, lines 56-65].

Regarding claim 9: Gardner and Cooper made obvious above, Gardner states that the location data is contained with the identification data of the detector unit, but fails to show a GPS unit for determining the position, Cooper et al. further teaches a GPS unit for determining the position of the sensor [see Abstract]. It would have been obvious of one having ordinary skill in the art at the time of the claimed invention to employ a GPS unit as suggested by Cooper et al., so the location of the pest detector can be determined more precisely.

Regarding claim 11: Gardner further discloses that the communication between the trap (809) to remote location is via Internet [see col. 9, lines 36-45].

5. Claim **10 is** rejected under 35 U.S.C. 103(a) as being unpatentable over Gardner, Jr. et al. in view of Cooper et al., and further in view of Roberts [US6,792,395].

Regarding claim 10: Gardner et al. and Cooper et al. disclose all the limitations as described above, except for not specifically mention about GSM wireless communication, Roberts teaches a remote detector monitoring system comprises a GSM communication method [col. 5, lines 62-63] which transmits pest or bait related data [see col. 6, lines 41-57]. It would have been obvious of one having ordinary skill in the art at the time of the claimed invention to employ a GSM transmission method as suggested by Roberts, as an alternative communication method technology.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Vejvoda [US 5,396,729] discloses means to identify pest type [Fig. 4, component 32].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SON M. TANG whose telephone number is (571)272-2962. The examiner can normally be reached on 5/8.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George A. Bugg can be reached on (571)272-2998. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Son Tang

/George A Bugg/
Acting SPE of Art Unit 2612